

REMARKS

In the drawings.

The examiner stated that the center circumference and diameter of the semicircles had to be clearly identified in the drawings.

The terms “a center”, “a circumference” and “a diameter” relating the semicircular U shaped cradle have been removed from the claims. Therefore the drawings need not be amended to show these features. The drawings are believed to be acceptable now that these terms have been removed from the claims. Therefore no drawing changes have been submitted.

The examiner rejected the claims as being indefinite because the terms center, circumference and diameter of a semicircle were unclear.

The terms have been removed from the claims. The amended claims are believed to be clearly defined and definite. The new claims use the term “axis of the radius of the semicircle” which is believed to be well defined.

The examiner rejected the claims as being anticipated by Hardy Jr. et al.

The claims have been amended to add the limitation of the clip being centered over the middle of the base.

Since Hardy Jr. et al has two clips and they are both off center it is believed that the claims are now distinguished over the prior art. In the amended claims there is only one clip and it is centered over both the length and width of the base. This makes it much

easier to install the rod in the clip since there is only one clip with one pair of arms to displace to insert the rod into the clip and makes it easier to insert the rod without tipping the spacer over since the clip is balanced in the center of the spacer.

With claim 1 now allowable claims 2 and 3 which are dependent thereon are also believed to be allowable.

Further the withdrawn claims are also dependent from claim 1 and are also believed to be allowable.

The applicant believes that the amended claims are now in a condition for allowance over the art cited by the examiner.



CERTIFICATE OF MAILING

I hereby certify that the foregoing Amendment (6 pp.) in response to the Official Action dated January 24, 2007, a transmittal letter and a return receipt postcard, in application Serial No. 10/722,890, filed on November 26, 2003, of Julian P. Trangsrud entitled "REBAR SPACER" is being deposited with the U.S. Postal Service as First Class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. BOX 1450, Alexandria, VA 22313-1450, postage prepaid, on April 19, 2007.

Date of Signature: April 19, 2007.

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